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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/640,478	08/16/2000	Avinash C. Saxena	066241.0111	4549

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Baker Botts LLP
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/29/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

22

Office Action Summary

Application No.

09/640,478

Applicant(s)

SAXENA, AVINASH C.

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to a communication made on December 15, 2003.

Claims 1-20 are pending in this application.

Response to Amendment

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lincke (6397259).

Regarding claims 1 and 11, Lincke discloses a method and system for communicating data comprising: receiving a first request at a cache server (Column 75, lines 60 – 62; Column 76, lines 25 – 27), the first request having an associated first content item (Column 76, lines 27 – 29) and having an associated header portion (Column 75, lines 53 – 55; Column 76, lines 26 – 27); comparing the first content item and the header portion to predefined criteria (Column 76, lines 33 – 37); generating a second request based on the criteria the header portion, and the first content item (Column 76, lines 37 – 40), the second request generated by transforming a uniform

resource identifier portion of the first request to include the information from the header portion of the first request (Column 12, lines 15 – 20); and retrieving the second content item based on the second request (Column 76, lines 37 – 40).

Regarding claims 2 and 12, Lincke discloses that the header portion comprises a hypertext transport protocol header portion (Column 4, lines 55 – 60) and wherein; the header portion comprises a hypertext transport protocol header portion (Column 4, lines 58 – 60); and comparing the first content item and the header portion to predefined criteria further comprises: examining a hypertext transport protocol identifier portion associated with the first content item (Column 76, lines 32 - 34); comparing the hypertext transport protocol identifier portion to the criteria (Column 76, lines 27 – 31); examining the hypertext transport protocol header portion associated with the first request (Column 76, lines 21 – 31); and comparing the hyper text transport protocol header portion to the criteria (Column 76, lines 5 – 9).

Regarding claims 3 and 13, Lincke discloses that the predefined criteria comprises a match criteria (Column 76, lines 5 – 9) and an associated transform (Column 75, lines 50 – 55; Column 12, lines 15 – 20).

Regarding claims 4 and 14, Lincke discloses that the transform comprises at least one rule indicating how to modify the hypertext transport protocol identifier portion associated with the first request to generate the second request (Column 11, lines 8 – 11; Column 18, lines 12 – 15).

Regarding claims 5 and 15, Lincke discloses that the transform comprises at least one rule indicating an element associated with the hypertext transport protocol

header portion of the first request to be associated with the hypertext transport protocol identifier portion of the second request (Column 18, lines 12 – 15; Column 23, lines 17 – 21).

Regarding claims 6 and 16, Lincke discloses the match criteria comprises at least one entry, each entry comprising a portion of a hypertext transport protocol identifier (Column 76, lines 5 – 9) and comparing the hypertext transport protocol identifier portion to the criteria comprises comparing each entry to the hypertext transport protocol identifier portion of the first request (Column 76, lines 5 – 9).

Regarding claims 8 and 18, Lincke discloses the second content item is related to the first content item (Column 76, lines 25 – 31) where the first content contains a link to the second content.

Regarding claims 9 and 19, Lincke discloses the second content item comprises a version of the first content item customized in response to data in the header portion associated with the first request (Column 13, lines 13 – 17; Column 21, lines 38 – 47).

Regarding claims 10 and 20, Lincke disclose that generating the second request comprises: adding a hypertext transport protocol identifier portion of the first request to a hypertext transport protocol identifier portion of the second request; and associating an element associated with the header portion associated with the first request with the hypertext transport protocol identifier portion of the second request (Column 12, lines 10 – 20).

Regarding claims 7 and 17, Weber discloses that retrieving the second content item comprises: retrieving the second content item based on the second request from

the cache server (Column 11, lines 32 – 34) when the second content item is available from the cache server; and retrieving the first content item based on the first request from the origin server when the second content item is unavailable from the cache server (Column 76, lines 47 – 65).

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6029175 issued to Chow, because it has a cache server with requests and redirection.

U. S. Patent No. 6701415 issued to Hendren, because it has request transformations and a cache system.

U. S. Patent No. 6122666 issued to Beurket, because it has a cache server and request transformations.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
April 23, 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER